

Christ Church Primary School, Hampstead

Data Protection –School Policy Statement

The Data Protection Act 1998 is the law that protects personal privacy and applies to any school which processes or has access to people's personal data. The Act helps ensure that the management of data held electronically and / or and in paper-based systems is processed correctly. Section 7 of the Act gives rights to the people about who the data relates.

Christ Church School has a legal responsibility to comply with the Data Protection Act and the school, as a corporate body, is named as the Data Controller under the Act. Data Controllers are people / organisations who hold and process personal data and have a duty to establish workplace practices and policies that are in line with the Act.

Personal data

Personal data is any information which relates to a living individual who can be identified from that data either by itself or alongside any other information we hold (for example, name, address, date of birth, National Insurance number, bank account details etc). It also includes any expression of opinion about that individual and any indication of any intentions we have in respect of that individual and it also applies to personal data held visually in photographs or video clips (including CCTV) or as sound recordings.

Personal data can also be 'sensitive' as defined by the Act. This is information about your racial or ethnic origin, political opinions, religious beliefs, trade union membership, physical or mental health or condition, sexual life, criminal offences, proceedings and convictions. We can only collect and hold this information for specific purposes (for example equal opportunities monitoring).

We are obligated to notify the Information Commissioner, who regulates the Data Protection Act, that information about individuals is being collected, processed and held. We are also obligated to follow the eight principles set out in the Act. The principles state that all personal information, or data, about individuals should be:

1. Processed fairly and lawfully

Either consent is required or there is an overriding necessity to process data however in any event, individuals should be made fully aware of why we are collecting their information, what we intend using it for, and who else we may be sharing it with.

2. Processed for limited purposes

We will only process the information we've collected for the purposes we said we would when it was collected.

3. Adequate, relevant and not excessive

We will only collect and process the information we need as opposed to any additional information that may be useful in the future for another purpose.

4. Accurate and up to date

We will regularly review the information we hold to ensure that personal data is kept up to date.

5. Kept no longer than is necessary

Depending on the overriding need of any legislation, statutory or legal requirement, data will not be kept longer than is required for the purposes of processing.

6. Processed in line with the individual's rights

The Data Protection Act creates rights for those individuals who have their data processed and responsibilities for our school who process and record that data.

7. Secure

We must ensure that appropriate measures have been taken to ensure your information is safe, secure and cannot be accessed by anyone that isn't authorised to so. See our data security statement below.

8. Not transferred to other countries that don't have suitable data protection controls.

We will not send personal information outside of the European Economic Area unless the individual whom it is about has consented or adequate protection is in place.

Information disclosure

Personal information cannot usually be released to anyone else without your consent or knowledge. There are, however, certain circumstances when a third party (such as a government agency or law enforcement agency) can request information about you and we may be obliged to give it to them (for example where the disclosure is required by law or by a court order).

If you ask for information about a person other than yourself, your request will likely be refused unless the person you are asking about has given their written consent allowing us to disclose their personal information to you or you have parental responsibility for them.

Requesting Personal Data

To request access to personal data that the school may hold about you, a Subject Access Form can be completed and posted to us.

The person who the personal data is about is known as the *data subject* and the person who is making the request is known as the *applicant*. These can of course be the same person depending on the personal data sought. A common example of this relationship would be when a parent (*applicant*) is seeking personal information about their child (*data subject*).

Parents can request personal data about their child if the child concerned is under 12 years of age (however consent may still be required in some circumstances). There may also be occasions where you are legally allowed to act on behalf of someone else (for example power of attorney).

A form can be requested from the school office or see below.

To protect your personal information, we will also require copies of two forms of identification and these should be:

- one piece of photographic identification, such as a valid passport, valid driving licence or a valid EU national identity card.
- one piece of identification confirming your address and dated within the last three months such as a utility bill, council tax statement or bank statement.

If you do not want to post your application, you may book an appointment with the headteacher, who will accept your application and validate your identification. Whilst we may be able to confirm your identification in person we will always require proof of address to ensure that any data that we release is sent to the correct address.

Remember that if you are applying on someone else's behalf, you must also enclose either their signed, written consent, or proof that you are legally entitled to act on their behalf.

There is also a £10 processing fee. Cheques and postal orders should be made payable to Christ Church School. Please note that in some exceptional circumstances (for example the type and volume of manual files requested) there may be an additional fee required and we will advise you if this is the case.

Following receipt of your written request, identification and fee, you will receive a response within 40 calendar days. However if we do not have enough information required to perform a search we will contact you and ask for more details (The 40 day period of response will begin from the day we receive sufficient information to enable a search).

Disclosing information

The information that you can expect to receive from us will usually be a copy in whatever format we hold it in.

Depending on what information has been requested we will explain any jargon or abbreviations, provide a summary sheet detailing what we have used the information for, and what information we have withheld and why (if applicable).

There are some instances where we may not be able to release some of the information we hold about you to you such as:

- personal information about other people (including family members), unless we receive their consent.
- examination marks ahead of national release or examiners comments.
- information provided by another person, such as a health visitor or the police, unless we receive their permission to do so.
- information contained in adoption and parental order records
- legal advice provided by a legal professional.

- information that would prejudice the prevention / detection of crime

In some exceptional circumstances we may also withhold information about you if we think that it might cause you serious harm or severe distress.

Occasionally your records may contain elements that it would not be appropriate for you to see (for example personal information about other individuals). Rather than withhold the whole record or document, we will redact or remove those sections, if we can, to make them anonymous

If you find incorrect information held about you then please write and tell us what is wrong and how you think it should be corrected. An assessment will be made and the information updated.

Education Records

An education record will primarily consist of information that comes from a teacher or other employee of a local authority or school, the pupil or their parents (such as details of achievement and attainment). However, it may also include information from the child and their parents (such as information about the health of the child or correspondence from an educational psychologist).

Information kept by a teacher solely for their own use does not form part of the official educational record.

A parent has rights to their child's educational record under the Education (Pupil Information) (England) Regulations 2005.

To access your child's school records, you should submit your request in writing to the head teacher and we have a requirement to respond within 15 school days.

Whilst simply viewing an educational record is free of charge, if we receive a request from a parent who wants copy of their child's educational record then a fee, charged at our discretion, may be charged. This can range from £1.00 up to £50 for the reproduction of its paper work depending on how many copies are produced.

Additionally it may not be possible for a parent to simply view the record if personal data subject to the Data Protection Act 1998 is contained within. If this is the case, this information will be disclosed with regards to the principles of the Data Protection Act 1998.

Adapted from Camden's model statement in December 2012.

Approved by the Governing Body in March 2013.

Approved with minor amendments by the Governing Body March 2016

This policy will be reviewed every three years or earlier if there are significant changes in legislation or guidance.

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Subject Access Request Form

Application to make a subject access request under Section 7 of the Data Protection Act 1998

The person who the personal data is about is known as the data subject and the person who is making the request is known as the applicant. These can of course be the same person depending on the personal data sought. If you are a parent seeking access to your child's official educational records please contact the school office. The information you provide on this form will be used only for the purposes of processing your request.

1. Details of applicant / representative

First name:		Surname:	
Address			
Post code			
Telephone			
Email			

I am also the data subject.

Please tick. Yes. Go to section 3 No. Go to section 2

2. Details of data subject

First name:		Surname:	
Address			
Post code			
Telephone			
Email			

3. Details of information being requested

Please provide a clear description of the information you are requesting including, dates, departments and/or any additional information which will enable us to locate it.

Continue on separate sheet if required

4. Fee

A £10 processing fee is required for requests for personal data. Do not send cash in the mail.

Cheques may be made payable to Christ Church School.

5. Proof of identity / consent

Please send us copies of two documents that prove who you are.

One must be photographic (such as a valid passport or driving licence) and;

One must prove your current address (such as a recent electricity bill, or council tax bill).

Alternatively if you are in regular contact with the school, you may wish to arrange an appointment to confirm identification in person. However, proof of address will be required regardless unless collection of information will be in person also.

Please tick either:-

The information requested is about myself.

I am the parent / guardian requesting access to my child's personal data who under 12 years of age. (Please note that in exceptional circumstances, consent may be required)

I am representing another individual

In addition to the above identification required in 5.1, please send us one form of identification and written permission from the person that the information is about, saying that we can give you their information.

6. Declaration

I am the person named in section one of this form and the information I have supplied is accurate. I am asking for personal information held by the school about me / the named person under the provisions of Section 7 of the Data Protection Act 1998.

Signed		Date	/	/
Print				

Office use

Receipt date		Reference:	
ID required / received		Received by	
FEE required / received		Proof of address required / received	

Christ Church Primary School, Hampstead

Data Protection – Security –School Policy Statement

Scope

The Data Protection Act 1998 is the law that protects personal privacy and upholds individual's rights. It applies to anyone who handles or has access to people's personal data. This policy does not seek to re write the whole legislation, rather to familiarise individuals with the key provisions and to demonstrate that Christ Church School has a commitment to them.

This policy is intended to ensure that personal information is dealt with properly and securely and in accordance with the Data Protection Act. It will apply to information regardless of the way it is used, recorded and stored and whether it is held in paper files or electronically.

This policy does not form part of the contract of employment for staff, but it is a condition of employment that employees will abide by the rules and policies made by the School from time to time. Any failures to follow the policy may result in disciplinary proceedings.

The School processes a large amount of personal data such as staff records, names and addresses of those requesting prospectuses, examination marks, references, fee collection etc. In addition, the school may be required by law to collect and use certain types of information to comply with statutory obligations of the local authority, government agencies or other bodies.

Personal data is any information which relates to a living individual who can be identified from that data either by itself or alongside any other information we hold (for example, name, address, date of birth, National Insurance number, bank account details etc) and it also includes any expression of opinion about that individual and any indication of any intentions we have in respect of that individual. Personal data can also be held visually or as sound recordings (e.g. this includes but is not limited to CCTV recordings, photographs, video clips, smart / mobile phones, tablets, cameras and other portable media devices).

School Responsibilities

As per the Data Protection Act 1998 and as corporate body, the School is the Data Controller and the Governors are therefore ultimately responsible for compliance however designated officers will deal with day to day matters.

Christ Church School will ensure that all personal data is accessible only to those who have a valid reason for using it and not disclosed to any unauthorised third parties. Any member of staff, parent or other individual who considers that the Policy has not been followed in respect of personal data should raise the matter with the appropriate designated officer.

The School has one designated officer who is the head teacher.

In addition the school will put in place appropriate measures for the deletion of personal data. Manual records will be shredded or disposed of as '*confidential waste*', CDs / DVDs / Disks should be cut into pieces, Audio / Video Tapes and (where applicable) Fax rolls should be dismantled / shredded. Hard drives of redundant PCs will be wiped clean before disposal, or, if that is not possible, destroyed physically.

Appropriate contract terms will be put in place with any third parties undertaking this work on the school's behalf.

The Freedom of Information Act 2000 requires that a log should be kept of the records destroyed and who authorised their destruction.

Staff Responsibilities

All members of staff are responsible for ensuring that:-

- Any personal data which they hold is kept securely.
- Any information provided to the school in connection with their employment is accurate and up to date including informing of any changes to information which has been provided (for example changes of address) or any errors spotted.
- Personal information is not disclosed either orally or in writing or via Web pages or by any other means, accidentally or otherwise, to any unauthorised third party. (Unauthorised disclosure may result in disciplinary proceedings)
- Any personal data held about other people or collected as part of their responsibilities (for example opinions on reports, references, marks, details of personal circumstances) is kept securely.
- Personal data that is written, printed or in electronic format held on an unencrypted disk, USB / portable data transfer device or other removable storage media should be kept in a locked filing cabinet, locked drawer, safe or in a lockable room with key-controlled access. Records containing personal data must never be left where unauthorised personnel can read or gain access to them.
- Personal data that is computerised should be coded, encrypted or password protected both on a local hard drive and on a network drive that is regularly backed up.
- Computer screens, terminals, CCTV camera screens or any Visual Display Unit (VDU) that shows personal data should be placed so that they are not visible except to authorised staff. PC screens will not be left unattended without a password protected screen saver being used.

This policy also applies to staff and pupils who process personal data 'off-site' (for example when working at home). Staff are still responsible in such circumstances and additional care must be taken regarding the security of the data. Any personal

data, in any format, will not be taken off the school premises without approval of the head teacher.

Under the Data Protection Act 1998 any employee may be personally liable in a court of law for unauthorised disclosure of personal data.

It is also a criminal offence to gain access to unauthorised information on a computer system under the Computer Misuse Act 1990.

Please see the staff handbook for further information on responsibilities for staff, for example in relation to data security and our social media protocol.

Closed Circuit Television

Christ Church School uses Closed Circuit Television (CCTV) and complies with the Information Commissioner's CCTV Code of Practice.

As a data controller Christ Church School must let people know we are using CCTV. This is achieved by signs around the premises which are clearly visible and readable.

CCTV will only be used in areas where privacy is normally expected (such as in changing rooms or toilets) in exceptional circumstances, and will only be used to deal with very serious concerns. If this is the case, extra effort will be made to ensure that you are aware that cameras are in use.

We will make sure that someone at the school has responsibility for the CCTV images, deciding what is recorded, how images should be used and clear procedures on how to use the system. Regular checks will be made to ensure that the procedures are followed.

We will only keep the images for as long as necessary to meet the purpose of recording them.

Any disclosure of images will be in line with the Data Protection Act 1998 including any requests for personal data. Any such requests will be processed in line with our data protection policy however in addition to those requirements we will likely require details which will assist us establish your identity as the person in the pictures, and to help find the images on their system if they are still retained.

Christ Church School may need to disclose CCTV images for legal reasons (for example to the police for crime detection). Once we have given the images to another organisation, then that organisation must also adhere to the Data Protection Act 1998 in their handling of the images. We will not disclose images of identifiable people to the media or post them on the internet. Images released to the media to help identify a person are usually disclosed by the police.

Adapted from Camden's model statement in December 2012

Approved by Governing Body March 2013

Approved with minor amendments by Governing Body March 2016

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